

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

DAVID BARTSCH,

Defendant.

Case No. 2:11CR18

Judge Peter C. Economus

**ORDER ADOPTING REPORT AND
RECOMMENDATION**

This matter is before the Court upon the Magistrate Judge's Report and Recommendation that the Court **ACCEPT** Defendant David Bartsch's ("Defendant") plea of guilty and enter a finding of guilty against Defendant. (Dkt. # 9.)

On January 27, 2011, the Government filed an Information against Defendant. (Dkt. # 1.) On February 17, 2011, Defendant executed a Consent to Plead Guilty Before a U.S. Magistrate Judge. (Dkt. # 8.) Also on February 17, 2011, a hearing was held in which Defendant entered a plea of guilty to Count One of the Information, negligently failing to report all instances of noncompliance with a permit in a Clean Water Act report, in violation of 33 U.S.C. § 1319(c)(1). The Magistrate Judge received Defendant's guilty plea and issued a Report and Recommendation ("R&R"), recommending that this Court accept the plea and enter a finding of guilty. (Dkt. # 9.)

Neither party objected to the Magistrate Judge's R&R in the fourteen (14) days after it was issued. On de novo review of the record, the Magistrate Judge's R&R is adopted. Defendant was found to be competent to enter a plea. Defendant understood his constitutional rights. He is aware of the consequences of entering a plea. There is an adequate factual basis for the plea. The Court finds that the plea was entered knowingly, intelligently, and voluntarily. Defendant's plea of guilty is approved.

Therefore, Defendant is adjudged guilty of violating 33 U.S.C. § 1319(c)(1). The sentencing hearing will be scheduled by separate notice from the Clerk.

IT IS SO ORDERED.

/s/ Peter C. Economus - March 10, 2011
UNITED STATES DISTRICT JUDGE